

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

JEREMY JOHNSON, *et al.*,

Defendants.

Case No. 2:10-cv-02203-RLH-GWF

ORDER

This matter comes before the Court on Defendant Jeremy Johnson's Sealed Financial Affidavit (#566), filed on May 14, 2012. On March 12, 2012, Defendant Johnson filed a Motion to Compel (#494), requesting the Court compel the Receiver to produce the documents used in drafting its January 2012 Report. The Receiver filed a Limited Opposition (#507), stating that it had no objection to providing the documents, but requesting that Defendant Johnson pay for all or a portion of the cost of production, which was estimated at \$7,000. On April 25, 2012, the Court granted Defendant Johnson's Motion to Compel (*see* #543) and ordered Defendant Johnson to submit a financial affidavit for the Court to review in determining Defendant Johnson's ability to pay for the cost of production.

Without a detailed analysis of Johnson's financial status, the Court finds that Defendant Johnson is in a position to pay for half the estimated cost of production or \$3,500. This amount is approximately one tenth of Defendant Johnson's household income over the past 12 months. The Court finds \$3,500 is a reasonable amount to require Defendant Johnson to pay for copies of over 150,000 pages of documents. Pursuant to Fed. R. Civ. P. 34, the Receiver has a duty to make the documents available for inspection. If Defendant Johnson wishes to inspect the documents used in

1 preparation of the report and request copies of only certain documents, the total cost to Defendant
2 Johnson will be reduced in accordance with the number of documents requested. Accordingly,

3 **IT IS HEREBY ORDERED** that Defendant Jeremy Johnson shall pay the Receiver the
4 sum total of **\$3,500.00** for copies of the documents used in drafting the January 12, 2012 Report in
5 accordance with the Court's Order (#543). If Defendant Johnson elects to obtain copies of only
6 certain documents, Defendant Johnson shall pay half the total cost of production for those
7 documents.

8 DATED this 22nd day of May, 2012.

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11 GEORGE FOLEY, JR.
12 United States Magistrate Judge
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